

Remarks

Applicants respectfully request that the Examiner reconsider the present application in light of the above amendments and following remarks. Claim 10 has been amended and claims 16 and 17 have been added. Therefore, claims 7-17 are pending in the present application.

On September 12, 2003, a telephonic interview was conducted between Examiner Tho Duong and Patrick M. Griffin to discuss the Amendment Under Article 19 of the Patent Cooperation Treaty that was filed by facsimile with the International Bureau of WIPO on January 9, 2001. The Examiner indicated that the Amendment Under Article 19 would not be entered because it was an improper amendment to the U.S. patent application. Therefore, Mr. Griffin indicated that a preliminary amendment would be filed in the above-referenced case canceling claims 1-6. The preliminary amendment was subsequently filed on September 17, 2003.

The Examiner indicated that the oath or declaration submitted with the above-referenced patent application is defective because it does not acknowledge the filing of the corresponding PCT application. Therefore, new declaration documents are being submitted concurrently herewith acknowledging the above-referenced U.S. Patent Application Number 09/807,086 filed on June 26, 2001, corresponding PCT Application Number PCT/US00/22305 filed on August 15, 2000, and U.S. Provisional Patent Application Number 60/149,141 filed on August 16, 2000.

The Examiner objected to the disclosure because of a typographical error in the title of the patent application. Thus, the title has been amended to change the word "Alternater" to "Alternator." Applicants request that the objection to the specification be withdrawn.

Claim 10 has been rejected under 35 U.S.C. § 112, second paragraph, because there is insufficient antecedent basis for "said inner wall" in line 1. In response to the Examiner's rejection, Applicants amended claim 10 to change its dependency from claim 7 to claim 8. As such, Applicants submit that there is now proper antecedent basis for "said inner wall " and respectfully request that the rejection of claim 10 be withdrawn.

Claims 7-9, 11-13 and 15 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,040,493 to Gajewski et al. ("the Gajewski reference") in view of U.S. Patent No. 4,938,176 to Tanaka et al. ("the Tanaka reference"). Applicants respectfully traverse this rejection.

Claim 7 is directed to an external coolant conduit coolant assembly for connection between engine components in a coolant circuit of an engine. The coolant conduit assembly includes a conduit member, an electrical generating device and a second heat transmitting engine accessory. The conduit member is mountable with the components and defines a coolant passage that extends between an inlet and an outlet in the conduit member. The electrical generating device and second heat transmitting engine accessory are mounted with the conduit member in heat transmitting relation to the coolant passage intermediate the inlet and outlet.

None of the references of record, taken alone or in combination, teach or suggest a coolant conduit assembly having an electrical generating device and a second heat transmitting engine accessory that are mounted between an inlet and outlet of a conduit member as recited in claim 7. In the Office Action, the Examiner stated that the Gajewski reference does not disclose an EGR valve mounted in the cavity (34), but suggests "that before leaving the discharge passage (40), the coolant may flow to another appropriate part of the cooling system of the engine." *Office Action*, pg. 4 (emphasis added). However, the Gajewski reference actually states that the fluid may flow to any other part of the cooling system upon leaving the discharge passage (40). See Col. 4, lines 18-20. In other words, the fluid in the cavity (34) may proceed to other parts of the cooling system, which may include the EGR valve (12) disclosed in the Tanaka reference only after it exits the discharge passage. Therefore, there is no suggestion in the references of record to mount the EGR valve in the Tanaka reference between the primary passage (36) and discharge passage (40) of the Gajewski reference.

In addition, none of the reference of record, alone or in combination, teach or suggest a coolant conduit assembly having an electrical generating device and a second heat transmitting engine accessory that are mounted to a coolant passage in a conduit member as recited in claim 7. If the teachings of the Tanaka reference are combined with the Gajewski reference, then the coolant hose (22) in the Tanaka reference would be used to couple the discharge passage (40) in the Gajewski reference with the coolant passage (11) in the

Tanaka reference. Thus, the EGR valve (12) in the Tanaka reference and the alternator (16) in the Gajewski reference would be interconnected by a coolant hose (22), not mounted with a common conduit member that defines a coolant passage as in the present invention. In fact, the combination of the Gajewski and Tanaka references highlight the problems the present invention intends to solve. See *Specification*, pg. 3, lines 25-28 (eliminating the use of coolant hoses, hose clamps and coolant tubes).

Furthermore, none of the references of record teach or suggest a coolant conduit assembly having a second heat transmitting engine accessory mounted in the conduit member in heat transmitting relation to the coolant passage as recited in claim 7. Instead, the intake manifold in the Tanaka reference includes a coolant passage (11) that opens in the vicinity of a first bolthole (9) and is directed toward the vicinity of a second bolthole (9). See Col. 2, lines 38-46. The coolant passage in the Tanaka reference causes the portions in the vicinity of the boltholes (9) of the flange (7) to be cooled and is not in heat transmitting relation with the EGR valve (12). See Col. 3, lines 9-14.

For at least the foregoing reasons, Applicants request that the rejection of claim 7 be withdrawn. As claims 8, 9, 11-13 and 15 depend from claim 7, Applicants request that the rejection of these claims also be withdrawn for at least the same reasons set forth with respect to claim 7.

Applicant acknowledges that claim 14 has been objected to as being dependent upon a rejected base claim, but the Examiner indicated that it would

be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim 16 has been added and includes all of the limitations of claim 7 and the crossover and thermostat housing included in claim 14. Furthermore, claim 17 has been added and includes the coolant temperature sensor included in claim 14. Therefore, Applicants submit that claims 16 and 17 are in proper form for allowance.

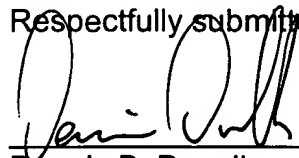
Conclusion

In light of the foregoing, Applicants submit that claims 7-17 are in condition for allowance and such allowance is respectfully requested. Should the Examiner feel that any unresolved issues remain in this case, the undersigned may be contacted at the telephone number listed below to arrange for an issue resolving conference.

Applicants do not believe that any fees are due at this time, however, the Commissioner is hereby authorized to charge any fees that may have been overlooked that may be due, to Deposit Account No. 10-0223.

Respectfully submitted,

Dated: 12/3/03



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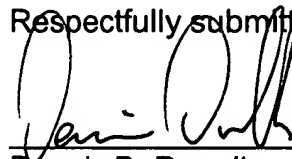
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